

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,  
Plaintiff,

-v.-

KKR & CO. INC., et al.,  
Defendants.

1:25-cv-343-JHR  
[rel. 1:25-cv-448-JHR]

**NOTICE OF MOTION TO  
DISMISS**

**(ORAL ARGUMENT  
REQUESTED)**

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law in Support thereof and all prior pleadings and proceedings herein, Defendants KKR & Co. Inc.; KKR & Co. GP LLC; Kohlberg Kravis Roberts & Co. L.P.; KKR Americas Fund XII L.P.; KKR Americas Fund XII (Kestrel) L.P.; KKR Americas Fund XII (Thrive) L.P.; KKR Apple Aggregator L.P.; KKR Chord IP Aggregator L.P.; KKR Core Holding Company LLC; KKR Core II Holding Company LLC; KKR DCIF Lower Entity III SCSp; KKR Global Impact Fund SCSp; KKR Global Infrastructure Investors IV USD (Apple) L.P.; KKR North America Fund XIII SCSp; and KKR Obsidian Aggregator L.P. will move this Court before the Hon. Jennifer H. Rearden, by the undersigned counsel, at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl St., New York, NY 10007, at a date and time to be determined by this Court, for an order dismissing Plaintiff's Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief the Court deems just and proper.

Respectfully submitted,

DATED: New York, New York  
April 17, 2025

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